



Snake River Seed Cooperative

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April 20th, 2021

Re: Bean rule proposed changes

Dear Mr. Lloyd B. Wright,

Thank you for the opportunity to participate in a discussion about the bean rule and how it affects my farm and livelihood. As per your request, I am emailing you a list of my proposed changes to the law. I am commenting as a small-scale urban farmer and also as the owner of the Snake River Seed Cooperative, which works with several dozen other small farmers in the Intermountain West to grow seeds for sale within our bioregion. While I understand that the bean seed industry the ISDA is trying to protect with these laws is a global one, I want to raise the case for small-scale farmers and seed savers who are growing food and seeds for Idaho citizens to be included in practical ways into these laws. It is possible that there are two different scales here, and that the rules should be made to serve farmers of all sizes, not just the big guys.

In particular, there are several parts of the bean rule that don't make sense for me, my business, or the other farmers I work with.

Section 02.06.06.200 & Section 02.06.06.201: Planting Phaseolus and non-Phaseolus seed

Proposed change: Consider distinctions of scale in the bean seed planting and seed saving rule, similar to the popular Small Herd Exemption law for small-scale livestock and dairy production in Idaho.

Rationale: As small-scale, direct-market farmers, we often do not have adequate access to certified tagged seed. Most small market farmers don't even know where to access tagged seed, and most of them are looking for 1-5lbs of seed, which no big bean seed grower wants to sell to an individual.

This aspect of the rule is haphazardly enforced, which is frustrating for those growers who are targeted for enforcement while their neighboring small farmers are not.

As a small seed company attempting to increase our region's biodiversity, my focus is on sourcing a wide diversity of less common crops (including heirloom and interesting beans and many types of less-common non-Phaseolus species). We regularly purchase 5 pounds of bean seeds from small-scale growers, which is an unfathomable amount of seeds for a larger-scale, certified grower to consider growing, and additional aspects of the law make it easier for me to work with our growers outside Idaho to introduce these rare varieties into our offerings. Under the current rules, I am legally allowed to buy any amount of bean seeds from any grower outside of Idaho without them having been inspected, put them into packets, and sell them on the shelves at Idaho nurseries to Idaho farmers and gardeners.

In this way, I'm actually encouraged as an Idaho seed company to buy non-certified seed from outside Idaho and sell it to other Idaho gardeners, even while still not being allowed to plant that same seed on my own farm.

Section 02.06.06.250 - TRIAL GROUNDS

Proposed Change: Remove the section that requires that trial ground plots be planted using drip or rill irrigation, not overhead sprinklers.

Rationale: I personally want to see this rule changed because I am unable to water with drip or rill irrigation on my farm. But there are larger reasons for my desire to see this change. You can use overhead water to water the crop in subsequent years, after it has already been inspected the first time. In addition to the obvious fact that water falls out of the sky, a healthy agriculture breeds varieties that are resistant to diseases. Isn't the point of a trial ground to trial varieties under actual field conditions to assess their fitness? The rule doesn't allow us to trial the varieties in actual field conditions. And regardless, isn't it the point of the inspections to inspect for diseases and make sure the crops don't have them?

Section 02.06.06.300 - SPECIAL SITUATIONS

Proposed Change: Clarify this section to explicitly welcome and create a path forward for working with small-scale agricultural producers, especially those not near larger-scale commercial bean seed production fields, who could be some of ISDA's most valuable allies in the work to create the biodiversity and disease-resistant varieties that will be essential to Idaho's agricultural future.

Rationale: The current wording in the rule is quite vague and leaves it up to the sole discretion of the Director to determine whether a particular research partnership is worthwhile. It has been my experience in working with the ISDA that many of the needs, perspectives, cropping systems, farm models, and concerns of small-scale farmers in Idaho aren't well understood within the agency. The way this rule is worded suggests that if the Director likes you/your

farm/your idea, they will move forward with working with you, and if they don't, you're out of luck. Is this discretion guided by stated agency goals?

It seems to me we should be employing a number of rigorous trials to identify and propagate varieties that are actually disease-resistant and/or adapted to organic, small-scale, or otherwise low-input cropping systems to ensure that Idaho agriculture remains increasingly relevant and sustainable amid a changing climate where resources become ever more scarce. Instead, in our policies we're eschewing the opportunity to trial for low-input and disease-resistant varieties and instead trying to create more sterile environments to coddle ill-equipped varieties. Oregon plant breeder Frank Morton actually has fields he's dubbed "disease nurseries" where he inoculates the soil with a myriad of diseases and then plants his varieties into those fields to see who is truly disease resistant. I'm not asking to inoculate my field with pathogens. But I am willing to throw the dice and see if any show particular resilience, which seems like a real benefit to ISDA. And given my location in the middle of a residential area in urban Boise, with no other bean seed producers around for miles, I would be an excellent candidate to help with research, as would many of the other growers I work with.

Section 02.06.06.350 - DETECTION, IDENTIFICATION, AND REPORTING OF REGULATED PESTS

Proposed Change: This is not a specific change to the rule, but an invitation for ISDA to work with partners to create a more informed citizenry around the subject of seedborne pathogens, which could help in achieving the agency's goal to prevent the spread of seedborne pathogens throughout the state.

Rationale: In a changing culture where seed saving is more appealing to home gardeners and small-scale farmers, bean seeds are some of the easiest to save seeds. These laws risk criminalizing this vital skill, in which the public has growing interest. The resources of the ISDA would be well spent educating small farmers and home gardeners on ways to identify the pathogens you're on the lookout for. We could actually help to do the enforcement if we knew what we were looking for, becoming advocates and allies in the work to increase our seed sovereignty. As small-scale seed saving and sharing continues to soar in popularity, setting aside resources for educational outreach seems very useful.

Thank you very much for your time and consideration.

Casey

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